THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Variations to previously approved plans to erect 2 buildings containing 15 flats to north of site, erect 2 buildings containing 2 dwellings and 4 flats to west of site with associated works and alter existing vehicle access - Install booster water pump and water tank to west boundary and south of block A.

LOCATION: Land at Rue de la Corbinerie, Oberlands, St. Martin.

APPLICANT: Guernsey Housing Association

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 23/09/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd. - AA65-10695 S10-02, S01-10K PSH2250, PW5000.INS.AG
Duquemin & Ozanne CI D0-5272025 0001

Application Ref: FULL/2025/0376

Property Ref: J00547B000

Conditions and reasons:-

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun on or before 24/04/2027.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/04/2024, issued under planning application reference FULL/2023/2391 and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

5. a) Within 1 month of the date of this decision, details of the hedge enclosures to the water pumps and tanks hereby approved, including planting schedules noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority.

b) The hedging approved under a) shall be planted by 31/12/2026, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance

provided in BS 4142:2014+A1:2019.

Reason - The equipment is close to residential property and a limit on the noise is needed to prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 24/04/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must

be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES
Director of Planning
Planning Service

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0376
Property Ref:	J00547B000
Valid date:	05/03/2025
Location:	Land at Rue de la Corbinerie Oberlands St. Martin Guernsey GY4 6SW
Proposal:	Variations to previously approved plans to erect 2 buildings containing 15 flats to north of site, erect 2 buildings containing 2 dwellings and 4 flats to west of site with associated works and alter existing vehicle access - Install booster water pump and water tank to west boundary and south of block A.
Applicant:	Guernsey Housing Association

RECOMMENDATION - Grant: Planning Permission with Conditions:

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1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun on or before 24/04/2027.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/04/2024, issued under planning application reference FULL/2023/2391 and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

5. a) Within 1 month of the date of this decision, details of the hedge enclosures to the water pumps and tanks hereby approved, including planting schedules noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority.

b) The hedging approved under a) shall be planted by 31/12/2026, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019.

Reason - The equipment is close to residential property and a limit on the noise is needed to prevent a nuisance or annoyance to nearby residents.

OFFICER'S REPORT

Brief Description of the site:

The site comprises of one block of 15 flats and two pairs of semi-detached buildings with 6 units of accommodation. The site is located to the south of Les Oberlands, with the blocks of flats close to the road and the other units in the southern part of the site. The site is bound by residential properties to the west, south, east and, across the road and at a lower level, to the north. The northerly of the two properties to the east also fronts on to the road to the north, whilst the southerly faces towards the site. The dwelling to the south is set off the site boundary and has a heavily planted boundary to the site. Land levels slope up from the roadside northern boundary towards the south boundary, with levels increasing more significantly to the adjacent property to the south. The site is located within the St Peter Port Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

FULL/2024/0376 - Variations to works previously approved to erect 15 flats to north of site and to erect 2 dwellings and 4 flats to south of site: Alterations to flat blocks - alterations to roof form, fenestration and position of solar panels and omission of balconies to north elevation; Alterations to fenestration of housing blocks – Approved December 2024.

FULL/2023/2391 - Erect 2 buildings containing 15 flats to north of site, erect 2 buildings containing 2 dwellings and 4 flats to south of site with associated works and alter existing vehicle access – Approved April 2024.

Existing Use(s):

Residential use class 1: dwelling house.
Residential use class 2: flats.

Assessment: *(Tick as appropriate)*

no representation	✓	visual amenity acceptable	✓
accords with policy	✓	no material neighbour impact	✓
within curtilage	✓	traffic not affected	✓
design acceptable	✓		

Policies considered most relevant:

MC2 Housing in Main Centres and Main Centre Outer Areas
GP8 Design
GP9 Sustainable Development
IP11 Small-Scale Infrastructure Provision

Consultations:

The Office for Environmental Health and Pollution Regulation commented as follows:

<u>20/03/2025</u>
'*I have reviewed the proposed plans to install two booster water pumps and water tanks to the west boundary and to the south of block A of the yet unbuilt housing development at the above site. There is currently insufficient information provided to be able to comment fully on the application.*

I am concerned that noise from Water Booster Pump 2, as marked on Drawing Number S10-02, may affect the amenity of the nearest existing noise sensitive residential property. I must also highlight my concerns to the applicant that both

Water Booster Pumps may affect the amenity of residents living in the not-yet-built apartments.

I have seen the technical specification sheet for the water booster pumps to be installed and note this provides some noise data but does not provide full acoustic information. There is also no information submitted regarding any attenuation that may be provided by the units the booster pumps will be housed in, and it is unclear whether this will achieve at least 5 dB below the existing background noise level when the pumps are being operated.

I would therefore request the following information is submitted to support the application:

- *Proposed times of operation of water booster pumps*
- *Full manufacturers' acoustic specifications (sound power / sound pressure / distance measured) of water booster pumps proposed to be installed*
- *Distance to the closest noise sensitive property (this includes domestic gardens)*
- *Evidence that the noise level the proposed water booster pumps would operate at would be at least 5 dB(A) below the lowest background noise level at the time of operation*
- *Details of any proposed attenuation measures to reduce the level of the water booster pumps to reach at least 5 dB(A) below the lowest background noise level at the time of the pumps being operated*

I would urge the applicant to contact an acoustic consultant I have attached a list of consultants who are prepared to operate on the island. Please note that inclusion on the list does not infer any kind of recommendation by the department.

Any measurements and assessment shall be made in accordance with British Standard 4142:2014+A1:2019.'

<u>27/04/2026</u>

'*I have reviewed the Noise Impact Assessment (NIA) prepared by Aura (Sound & Air) Limited, dated 3rd March 2026, ref. QG017.1 V1, in respect of potential noise impact from the proposed installation of two booster water pumps and water tanks to the west boundary and to the south of block A at the above development site.*

I note that the outcome of the NIA predicts that, at all Receiver Location assessment points, the Rating Level of the proposed plant would be above the existing background noise level, depending on day and night periods at each location, with an indication of the worst result being at Receiver Location 2 (Block B) being 15 dB above background during the night time period. This is predicted to cause a significant adverse impact on the residential property.

The NIA recommends 'Attenuation in the form of a closed top enclosure to achieve 20 dB(A) reduction' and goes on to state:

'With the attenuation described, the predicted sound level at receiver No 2 is expected to achieve the requirements of at least 5 dB below the pre-development background levels at all receivers during the daytime and night-time periods'.

The NIA also suggests relocating the northern pump (located to the south of Block A) 6m to the south to reduce the rating level of the pump further (with a closed top enclosure still being required).

I accept the findings and recommendations of the acoustic assessment, and I would recommend that the following conditions are attached to any granted planning consent:

- *Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019.*

- *The mitigation measures for plant and machinery shall be implemented in accordance with the principles and recommendations set out in section 6.0 of the Noise Impact Assessment (Aura (Sound & Air) Limited, ref. QG017.1 V1, dated 3rd March 2026), unless otherwise agreed in writing by the Authority.*

- *Prior to the installation of any acoustic attenuation measures, including the closed-top acoustic enclosures recommended within the approved Noise Impact Assessment (Aura (Sound & Air) Limited, ref. QG017.1 V1, dated 3rd March 2026), details of the design, specification and performance of such measures shall be submitted to and approved in writing by the Authority.*

The details shall be prepared by a suitably qualified and competent acoustic consultant and shall demonstrate that the proposed measures will achieve compliance with the plant noise limits set out in this permission.

The approved measures shall be installed in full prior to the operation of the plant and retained thereafter.

I would be grateful if the above information is considered during the determination of this application.'

15/09/2026

'I have reviewed the additional information submitted in relation to the proposal which includes installation of two water booster pumps. Apologies for the delay in responding to the consultation request.

It is disappointing that the works were carried out prior to further consultation with this office. I do not believe that the enclosure was acoustically designed as the sound reduction provided could have been predicted and this could have then fed into an acoustic report. In addition, it is not clear whether there were any other considerations made such as alternative pumps, relocation etc.

Whilst I appreciate the inclusion of a comparison report, this does not demonstrate that the noise levels at the nearest receptor will achieve a level of 5 dB below the LA90 background noise level. The fact that the installation has been made and the units are operating will likely contribute to an increased background noise level in the area. This could affect future planning applications as well as nearby residents.

Unfortunately, I feel that I have no alternative option other than to recommend that the following condition is attached to the consent:

- *Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019*.'

Conclusion/Brief comment:

This application is for a variation to a previously approved application for a residential development (FULL/2023/2391), the variation is to install a water booster pump and associated water tank adjacent to the west site boundary and to the south of Block A. The residential development is substantially complete.

The proposed structures would be located within the centre of the development and would be of utilitarian appearance. It is however acknowledged that the associated equipment is necessary, and that there are limited alternatives for its location, especially given the stage of development on site. Enclosing hedging is proposed which would have some benefit in mitigating visual impacts, a matter which can be managed through planning condition, and the structures would not be visible from public viewpoints outside of the development.

Concerns were however raised by the Office for Environmental Health and Pollution Regulation regarding the potential noise emissions from the equipment. The application was therefore deferred for the agent to provide a noise impact assessment, which resulted in delays in determining the application. The submitted assessment resulted in proposed enclosure for the pumps, however identified further requirements to ensure that the recommended noise limits were met, including relocation of the pump to the south of Block A, swapping the location with that of the proposed cycle store. Whilst the Office for Environmental Health and Pollution Regulation initially recommended a condition to ensure these

requirements were met, the agent for the application confirmed this would not be possible as the development was already substantially complete. The application was therefore deferred again for further alternatives to demonstrate noise compliance.

Following the above the pumps and tanks have been installed, without the benefit of planning permission, and the application is now retrospective. A revised noise assessment has been provided; however, this still does not clearly demonstrate that the units would operate below background noise level. It is however noted that any exceedance would not be likely to be significant, and the receptors affected would be located within the development itself and would not affect existing adjoining properties. In the circumstances of this case, it is therefore considered that the application can be approved, subject to a noise emission condition. The implementation of the works prior to the issue of permission, or demonstration that the equipment could operate within acceptable parameters, is not however condoned.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been considered in the assessment of this application.

Recommendation:
Grant with Conditions ☑

Date: 18/09/2026